

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In the Matter of the Arbitration Between :

AAMCO Transmissions, Inc. :

Claimant, :

v. :

Miscellaneous Action, File No. \_\_\_\_\_

Gladys Y. Pazmino :

Respondent. :

**ORDER**

AND NOW, this \_\_\_\_ day of \_\_\_\_\_, 2012, upon Claimant's Petition To Confirm Arbitration Award, and any response in opposition thereto, it is hereby ORDERED and DECREED that Plaintiff's Petition is GRANTED. JUDGMENT is entered in favor of Claimant, AAMCO Transmissions, Inc., and against Respondent, Gladys Y. Pazmino, in the amount of \$98,828.25.

BY THE COURT:

\_\_\_\_\_  
J.

**AAMCO TRANSMISSIONS, INC**  
**WILLIAM B. JAMESON, ESQUIRE**  
**Attorney I.D. No. 58949**  
**201 Gibraltar Road, Suite 150**  
**Horsham, PA 19044**  
**(610) 668-2900**

**Attorney for Claimant**

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Respondent.	:	
	:	

**PETITION TO CONFIRM ARBITRATION AWARD**

Petitioner AAMCO Transmissions, Inc. ("AAMCO") moves the Court for an Order, pursuant to 9 U.S.C. §§9 and 13, confirming the Award of the Arbitrator in the matter of the arbitration between Petitioner AAMCO, and Respondent Gladys Y. Pazmino (hereinafter "Respondent"), made on February 17, 2012, and directing that judgment be entered thereon. AAMCO petitions to confirm the Arbitration Award as follows:

1. AAMCO is, and at all times relevant hereto was, a Pennsylvania corporation with its principal place of business located at 201 Gibraltar Road, Suite 150, Horsham, PA 19044.
2. Respondent Gladys Y. Pazmino is an adult individual with a last known principal place of business located at 670 N. State Road 7, Margate, FL 33063, and a last known home address of 10691 Bexley Boulevard, Boca Raton, FL 33428.
3. On November 7, 1994, Respondent Pazmino, entered into a Franchise Agreement with Claimant enabling Respondent to own and operate an AAMCO Transmission Center located at

670 N. State Road 7, Margate, FL 33063 (the "Center"). A true and correct copy of said Franchise Agreement is attached hereto and made a part hereof as Exhibit "A".

4. Arbitration in Philadelphia was agreed upon pursuant to Section 22.1(b) of the Franchise Agreement. Section 22.1(b) of the Franchise Agreement provides:

All disputes, controversies or claims arising out of or relating to this Agreement shall be settled by binding arbitration in accordance with the Commercial Arbitration Rules of the American Arbitration Association or its successor except for termination by AAMCO which is based in whole or in part, upon the fraudulent acts of Franchisee or Franchisee's failure to deal honestly and fairly with any customer of the center or Franchisee's failure to accurately report his gross receipts to AAMCO. Arbitration shall be conducted in Philadelphia, Pennsylvania, unless otherwise agreed to by the parties.

5. On or about September 29, 2011, pursuant to the terms of the Franchise Agreement, AAMCO filed a Demand for Arbitration with the American Arbitration Association ("AAA") office in East Providence, Rhode Island. A true and correct copy of the Demand for Arbitration is attached hereto as Exhibit "B" and incorporated herein by this reference.

6. On or about November 15, 2011, the AAA appointed Harry Mondoil, Esq. to serve as arbitrator in this dispute.

7. On February 17, 2012, Arbitrator Mondoil issued a written award ("Award") in favor of AAMCO. The arbitrator awarded AAMCO Ninety-Five Thousand Six Hundred Twenty-Eight Dollars and Twenty-Five Cents (\$95,628.25), plus eighteen percent (18%) interest per annum, for Claimant's underlying claim. The arbitrator further awarded AAMCO administrative fees and compensation of the arbitrator totaling Three Thousand Two Hundred Dollars (\$3,200.00), for a grand total of Ninety-Eight Thousand Eight Hundred Twenty-Eight Dollars and Twenty-Five Cents (\$98,828.25) in full settlement of all claims submitted to the AAA. A true and correct copy of the Award is attached hereto and made a part hereof as Exhibit "C".

8. Rule 48(c) of the AAA's Commercial Arbitration Rules (the operative rules adopted by the parties) provides that "[p]arties to an arbitration under these rules shall be deemed to have consented that judgment upon the arbitration award may be entered in any federal or state court having jurisdiction thereof." A copy of the AAA's Commercial Arbitration Rule 48(c) is attached hereto as Exhibit "D".

WHEREFORE, AAMCO requests:

1. That the Award be confirmed as a final judgment; and
2. Any other relief that the Court deems just and proper.

Respectfully Submitted,



William B. Jameson, Esquire  
Attorney for Claimant  
AAMCO Transmissions, Inc.  
201 Gibraltar Road, Suite 150  
Horsham, PA 19044  
(610) 668-2900

5-1-12  
DATE

AAMCO TRANSMISSIONS, INC.  
WILLIAM B. JAMESON, ESQUIRE  
Attorney I.D. No. 58949  
201 Gibraltar Road, Suite 150  
Horsham, PA 19044  
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Attorney for Claimant

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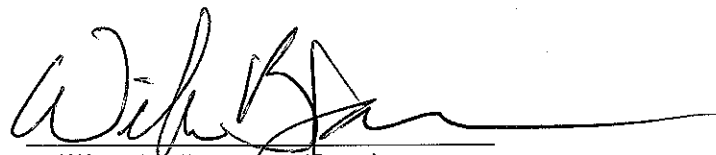
Respondent. :

CERTIFICATE OF SERVICE

William B. Jameson, hereby certifies that he did serve on this 1<sup>st</sup> day of ~~April~~ <sup>May</sup>, 2012, the  
attached Petition To Confirm Arbitration Award and supporting papers upon the Respondent, via  
U.S. Regular Mail and Certified Mail, postage prepaid:

Gladys Y. Pazmino  
10691 Bexley Boulevard  
Boca Raton, FL 33428

5-1-12  
DATE

  
William B. Jameson, Esquire  
Attorney for Claimant  
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